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CINDY MURRAY

**RESOLUTION NO. 2009 - 04**

**A RESOLUTION CONFIRMING THE  
DESIGNATION OF AN ECONOMIC REVITALIZATION AREA**

**LAFAYETTE UNION RAILWAY**

**WHEREAS**, Indiana Code chapter 6-1.1-12.1 empowers the Common Council to designate Economic Revitalization Areas (ERA); and

**WHEREAS**, the Common Council of the City of Lafayette, Indiana, has designated the Lafayette Redevelopment Commission as the agency to make preliminary investigations, determinations, and recommendations to the Common Council as to what areas should be designated Economic Revitalization Areas (ERA); and

**WHEREAS**, Lafayette Union Railway, has requested, on November 25, 2008, that real estate described in the attachments to this resolution, which attachments are incorporated herein by reference, be designated as an Economic Revitalization Area (ERA) for the purpose of attracting investments in real and/or personal property in connection with the redevelopment of the subject real estate and/or the installation of new logistical distribution equipment and/or new manufacturing equipment, which request has been accompanied by a City of Lafayette Supplementary Statements of Benefits and other information set forth in said attachments hereto as Exhibit A; and

**WHEREAS**, the Lafayette Redevelopment Commission, on December 18, 2008, by **RESOLUTION LRC-2008-35**, recommended that the area be designated as an Economic Revitalization Area (ERA) for tax abatement purposes; and

**WHEREAS**, the Common Council adopted **RESOLUTION 2009- 03**, hereinafter the Declaratory Resolution, designating the subject real estate as an Economic Revitalization Area (ERA) subject to the adoption of a confirming resolution by the Common Council and final public hearing for the receiving of remonstrance and objections from persons interested in whether the subject real estate should be designated as an Economic Revitalization Area (ERA) hereto attached as Exhibit B; and

**WHEREAS**, a copy of such **Declaratory Resolution** was properly filed with the county assessor and proper legal notices were published indicating the adoption and substance of such preliminary resolution and stating when and where such final public hearing would be held; and

**WHEREAS**, at such final public hearing, evidence and testimony, along with any written remonstrance and objections previously filed, were considered by the Common Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE THAT:**

1. The Common Council finds that:
  - A. the subject real estate complies with the statutory criteria for an Economic Revitalization Area (ERA); and
  - B. the tax base of the City of Lafayette and all relevant taxing districts can be reasonably expected to increase from the proposed described redevelopment and/or installation of new logistical distribution equipment and/or new manufacturing equipment; and
  - C. the totality of benefits is sufficient to justify the designation.
2. The Common Council now confirms, adopts, and approves the Declaratory Resolution and thereby designates, finds, and establishes the subject real estate as an Economic Revitalization Area (ERA).
3. The Economic Revitalization Area (ERA) designation terminates 10 years after January 1, 2009.
4. The City of Lafayette Supplementary Statement of Benefits filed on November 25, 2008 is hereby approved.


This Resolution shall be in full force and effect from and after its passage and signing by the Mayor.

**PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA**, on the 2 day of February, 2009.

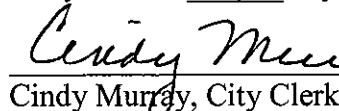
COMMON COUNCIL OF THE  
CITY OF LAFAYETTE, INDIANA

  
Steven P. Meyer, President

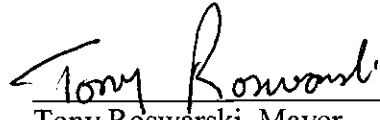
ATTEST:

  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette this 2 day of February 2009.

  
Cindy Murray, City Clerk

Signed and approved by me, the Mayor of the City of Lafayette, Indiana, this 2 day of February 2009.

  
\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:  
  
\_\_\_\_\_  
Cindy Murray, City Clerk

Sponsored by Tony Roswarski, Mayor

**EXHIBIT A**

**SUPPLEMENT TO STATEMENT OF BENEFITS**  
**Real Estate**  
**LAFAYETTE REDEVELOPMENT COMMISSION**

**INSTRUCTIONS:**

1. This completed SUPPLEMENT and the completed STATEMENT OF BENEFITS, along with all other requested materials, must be submitted to the Lafayette Redevelopment Commission prior to a hearing before the Commission.
2. This SUPPLEMENT TO STATEMENT OF BENEFITS is part of the total application, and the CERTIFICATION in the STATEMENT OF BENEFITS applies to all statements in the APPLICATION.

## SECTION I APPLICANT &amp; PURPOSE

Name of Taxpayer <b>The Lafayette Union Railway Company</b>	
Address of Taxpayer (street and number, city, state & ZIP code) <b>201 Main Street, Suite 810 P.O. Box 1535 Lafayette, IN 47902</b>	Telephone: <b>765-742-9046</b> FAX: <b>765-742-1966</b> E-mail: <b>lmcbride@ball-law.com</b>

Name of Applicant if different from Taxpayer Not Applicable	
Address of Applicant if different from Taxpayer (street and number, city, state & ZIP code) Not Applicable	Telephone No: FAX: E-mail:
Description of relationship of Applicant to Taxpayer Not Applicable	

Contact for this Application <b>John K. McBride</b>	
Address of Contact if different from Taxpayer (street and number, city, state & ZIP code) Same	Telephone: FAX: E-mail:

Name of Parent Company (if any)  
Not Applicable

Purpose of Application: Seeking economic revitalization area designation for Park 350  
Real Property Tax Abatement for \_\_\_\_\_ years

[illegible]

Location of Real Property (street and number, city, state & ZIP code)  
**See Exhibit A attached hereto**

**\*\*ATTACH LEGAL DESCRIPTION & PLAT MAP WITH LOCATION\*\***

Assessor's Parcel Key No(s): (existing building: renovation/ expansion)  
Real Property **See Exhibit B attached hereto**

Does the company currently conduct business at this site? Yes \_\_\_\_\_ No X  
If "No", how is the site currently used? Land developed with infrastructure held for light industrial users who will provide quality jobs to the area

Current Zoning I-3

Will any changes, special exceptions be required?	Yes _____	No _____
Have they been approved?	Yes _____	No _____

**None currently anticipated**

Is the record currently designated as an Exempted Record under the Freedom of Information Act?	Yes	No
Is the record currently designated as Exempted under the Privacy Act?	Yes	No
Is the record currently designated as Exempted under the Access to Information Act?	Yes	No

### SECTION III

### NATURE OF IMPROVEMENT

Describe any Real Property Improvements:

Size of facility to be constructed and /or renovated

Rehabilitation of existing structure(s), especially architecturally significant or historic structures

Demolition of architecturally significant or historic structure(s)

**Real estate held available for light industrial users who will add tax base to the area and provide quality jobs.**

### SECTION IV

### EMPLOYMENT

How many do you employ today?  The number of employees and type of employment will depend upon the businesses who are end users of the real estate. Based upon the current projections of business already occupying one tract (excluded from this request) a reasonable estimate would be  employees.

How many will you employ after the project is complete?

How many jobs will be created?

Full-time

Part-time

How many jobs are retained?

Full-time

Part-time

How many jobs will be eliminated?

Full-time

Part-time

Will any of the new positions be temporary or filled by contract employees?

Yes

No

If "Yes", describe the contract:

Will new employees be hired from the Tippecanoe region?

Yes

No

If any positions are to be eliminated, please explain the circumstances and if any of the employees from these positions will be eligible for the new positions.

How many additional employees are:

Number Average Wage Hourly Average

Production

Administrative

Management

Professional/Technical

Other

Total/Average Wage

**Not Applicable**

How many retained employees are:

Number Average Wage Hourly Average

Production

Administrative

Management

Professional/Technical

Other

Total/Average Wage

**Not Applicable**

What is the anticipated time frame for reaching full employment and the salary goals, per SB-1, from completion of improvement?

Year

1 yr

2 yrs

3 yrs

4 yrs

5 yrs

> 5 yrs

Employment

Salary

If greater than five years provide detailed timetable: Full employment for Park 350 would likely occur after all lots are sold to end users and facilities are constructed. The time is estimated by applicant to be up to 10 years.

Does the company provide benefits to all employees?

Yes

No

If "Yes", explain and list:

Health Insurance

% paid

Life Insurance

% paid

Disability

% paid

Childcare

% paid

Vacation

min. # of days

Retirement

% paid

Other

% paid

**Not Applicable**

## SECTION V

## IMPACTS &amp; STATUS

Please estimate the % of your products or services sold outside this 8-county economic region? \_\_\_\_\_ %

Will local firms and suppliers receive preference for this project? Yes \_\_\_ No \_\_\_ N/A \_\_\_

Does the applicant supply any local firms? Yes \_\_\_ No \_\_\_ None \_\_\_

If yes, please list:

Do you compete with local firms or businesses? N/A \_\_\_

If yes, please list:

Will local firms be used for the project? Yes \_\_\_ No \_\_\_

If yes, please list:

**Not Applicable**

Will any additional public utilities, city services or other infrastructure be required by this project? Yes \_\_\_ No \_\_\_

If "Yes", explain: All utilities and infrastructure have been constructed to and for Park 350. The sight is "shovel ready" as certified by the State of Indiana.

Will this project result in any negative impact on the environment? Yes \_\_\_ No X

If "Yes", explain and describe the measures to be taken to alleviate it:

Will any environmental permits be needed? Yes \_\_\_ No X

If "Yes" please list and note if they have been obtained:

Has financing for this project been approved? Yes \_\_\_ No \_\_\_

Has any construction begun? Yes \_\_\_ No \_\_\_

**Not applicable**

Have all required rezonings, variances or special exceptions been approved for this project? None Needed \_\_\_

If "No", explain: Yes \_\_\_ No \_\_\_

**None expected**

Have applications been made for any other forms of public assistance (grants or other incentives)? Yes \_\_\_

If "Yes", explain: No X

**Attachments** (please list and include)

## SECTION VI

## AFFIRMATION OF TAX PAYMENTS

I affirm that the applicant is current with all local, state, and federal tax obligations and understand that failure to have paid said taxes in a timely manner may render the applicant, during the course of this tax abatement, noncompliant and, therefore, ineligible for tax abatement.

Signature [Signature]

Title See - Title

**EXHIBIT B**

Parcel Numbers: 146-04900-0218  
146-04900-0229  
146-04900-0361  
146-04900-0482



**PARCEL 1**

**TRACT I**

Part of the west half of the Northeast Quarter of Section 14, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, described as follows:

Commencing at an aluminum monument marking the northwest corner of said Northeast Quarter; thence North 89 degrees 29 minutes 53 seconds East (bearings based on NAD 83(86) coordinates published by the Tippecanoe County Surveyor's Office) along the north line thereof a distance of 918.79 feet to a 5/8 inch rebar with a yellow plastic cap stamped "SCHNEIDER FIRM #0001" (known hereinafter as a "TSC REBAR") at the Point of Beginning; thence North 89 degrees 29 minutes 53 seconds East along said north line a distance of 19.58 feet to a "TSC REBAR" on the centerline of the Cleveland, Cincinnati, Chicago and St. Louis Railroad; thence South 58 degrees 40 minutes 45 seconds East along said centerline a distance of 459.77 feet to a "TSC REBAR" on the east line of said west half; thence South 00 degrees 36 minutes 14 seconds East along said east line a distance of 395.40 feet to a "TSC REBAR" on a curve; thence southwesterly along said curve to the right (said curve having a radius of 999.98 feet, a chord length of 439.71 feet and a chord bearing of South 81 degrees 17 minutes 26 seconds West) an arc distance of 443.33 feet to a "TSC REBAR"; thence North 86 degrees 00 minutes 31 seconds West a distance of 438.53 feet to a "TSC REBAR"; thence North 34 degrees 12 minutes 17 seconds East a distance of 810.44 feet to the Point of Beginning, containing 9.09 acres, more or less.

**TRACT II**

Part of the west half of the Northeast Quarter of Section 14, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, described as follows:

Beginning at a stone marking the northeast corner of the east half of said Northeast Quarter; thence South 00 degrees 36 minutes 14 seconds East (bearings based on NAD 83(86) coordinates published by the Tippecanoe County Surveyor's Office) along the east line thereof a distance of 242.44 feet to a 5/8 inch rebar with a yellow plastic cap stamped "SCHNEIDER FIRM #0001" on the centerline of the Cleveland, Cincinnati, Chicago and St. Louis Railroad; thence North 58 degrees 40 minutes 45 seconds West along said centerline a distance of 459.77 feet to a 5/8 inch rebar with a yellow plastic cap stamped "SCHNEIDER FIRM #0001" on the north line of said Northeast Quarter; thence North 89 degrees 29 minutes 53 seconds East along said north line a distance of 390.23 feet to the Point of Beginning, containing 1.09 acres, more or less.

**PARCEL 2**

**TRACT I**

A part of the Northwest quarter of Section Eleven (11), Township Twenty-two (22) North, Range Four (4) West, in Wea Township, Tippecanoe County, Indiana, being part of the Robert W. Brady property as described in Deed Record 78, page 5733, recorded September 29, 1978, in the office of the Tippecanoe County Recorder, and being designated as Net Tract as depicted on an ALTA/ACSM Land title Survey by John E. Fisher & Associates, PC, Commission No. 04.46.1 dated November 16, 2004, being more completely described as follows, to-wit:

Commencing at the Center of Section 11-22N-4W, said point being marked by a Bernsten A1NB Aluminum monument, thence along the West line of the Southeast quarter of said Section South 00° 53' 03" East 62.33 feet to a 5/8 inch rebar with a plastic cap stamped "FISHER P.C. 5092", hereinafter referred to as a Fisher capped rebar, on the south Right-of-Way line of County Road 350 South, as described in Document No. 93-09032, recorded May 4, 1993 in the Office of the Tippecanoe County Recorder, and the Point of Beginning of the herein-described tract; thence along said south Right-of-Way line, North 89° 55' 15" East 1296.49 feet to a Fisher capped rebar on the East line of the Wabash Valley Power Association (WVPA) property as described in Document No. 9817762, recorded July 10, 1998, in said Recorder's Office; thence along the bounds of said WVPA property the following four courses:

- (1) South 00° 51' 31" East 1336.41 feet to a Fisher capped rebar;
- (2) North 89° 54' 59" East 390.87 feet;
- (3) South 00° 25' 42" East 404.00 feet to a Fisher capped rebar;
- (4) North 89° 55' 00" East 527.19 feet to a Fisher capped rebar on the West line of the Lafayette Union Railway property as described in Document No. 9901198, recorded January 13, 1999, in said Recorder's Office; thence along said West line, South 00° 35' 52" East 863.84 feet to a 3/4" rebar with an aluminum cap stamped "VESTER & ASSOC. FIRM #0004" on the South line of the Southeast Quarter of the Southeast Quarter of said section; thence along the South line of said Quarter-Quarter, South 89° 54' 50" West 877.81 feet to a Stone at the Southwest corner thereof; thence along the South line of the Southwest Quarter of the Southeast Quarter of said section, South 89° 29' 46" West 337.04 feet to a Fisher capped rebar on the northerly Right-of-Way of the Cincinnati, Indianapolis, St. Louis, and Chicago Railroad; thence along said North Right-of-Way Line, North 58° 39' 16" West 1172.04 feet to a Fisher capped rebar on the West line of the Southeast Quarter of said section; thence along said West line, North 00° 53' 03" West 1995.74 feet to the point of beginning, containing 92.302 acres, more or less.

**TRACT II**

Part of the east half of the Northeast Quarter of Section 14, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, described as follows:

Beginning at a stone marking the northwest corner of said east half; thence North 89 degrees 54 minutes 47 seconds East (bearings based on NAD 83(86) coordinates published by the Tippecanoe County Surveyor's Office) along the north line thereof a distance of 1316.58 feet to an aluminum monument marking the northeast corner of said Northeast Quarter; thence southwesterly along a curve to the left (said curve having a radius of 1001.17 feet, a chord

length of 598.03 feet and a chord bearing of South 73 degrees 08 minutes 04 seconds West) an arc distance of 607.30 feet to a 5/8 inch rebar with a yellow plastic cap stamped "SCHNEIDER FIRM #0001" (known hereinafter as a "TSC REBAR"); thence South 56 degrees 09 minutes 28 seconds West a distance of 491.62 feet to a "TSC REBAR" on the centerline of the Cleveland, Cincinnati, Chicago and St. Louis Railroad; thence North 58 degrees 40 minutes 45 seconds West along said centerline a distance of 390.26 feet to a "TSC REBAR" on the west line of said east half quarter section; thence North 00 degrees 36 minutes 14 seconds West along said west line a distance of 242.44 feet to the Point of Beginning, containing 6.25 acres, more or less.

### **TRACT III**

Part of the east half of the Northeast Quarter of Section 14, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, described as follows:

Commencing at a stone marking the northwest corner of said east half; thence South 00 degrees 36 minutes 14 seconds East (bearings based on NAD 83(86) coordinates published by the Tippecanoe County Surveyor's Office) along the west line of said east half a distance of 242.44 feet to a 5/8 inch rebar with a yellow cap stamped "SCHNEIDER FIRM #0001" (known hereinafter as a "TSC REBAR") on the centerline of the Cleveland, Cincinnati, Chicago and St. Louis Railroad, being the Point of Beginning; thence South 58 degrees 40 minutes 45 seconds East along said centerline a distance of 390.26 feet to a "TSC REBAR"; thence South 56 degrees 09 minutes 28 seconds West a distance of 165.36 feet to a "TSC REBAR"; thence southwesterly on a curve to the right (said curve having a radius of 999.98 feet, a chord length of 216.57 feet and a chord bearing of South 62 degrees 22 minutes 24 seconds West) an arc distance of 216.99 feet to a "TSC REBAR" on the west line of said east half quarter section; thence North 00 degrees 36 minutes 14 seconds West along said west line a distance of 395.40 feet to the Point of Beginning, containing 1.57 acres, more or less.

### **PARCEL 3**

#### **TRACT I**

Part of the Southeast Quarter of Section 12 together with a part of the Northeast Quarter of Section 13, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, more particularly described as follows:

Beginning at a Berntsen monument marking the southwest corner of the Southeast Quarter of Section 12; thence North 00° 40' 48" West along the west line of said Southeast Quarter section, 1130.54 feet to its intersection with the center line of the south bound lane of U.S.R. 52, per plans for project #74, dated 1941; thence traversing said center line the following three (3) courses: (1) South 40° 29' 31" East, 818.48 feet; thence (2) southeasterly along a curve to the right, with a radius of 264416.06 feet, through a central angle of 00° 13' 00", an arc distance of 999.90 feet; thence (3) South 40° 16' 31" East, 1423.12 feet; thence South 89° 58' 29" West, along the south line of the North Half of the Northeast Quarter of Section 13, a distance of 2069.39 feet to the west line of said Northeast Quarter section; thence North 00° 42' 19" West, along said west line, 1340.43 feet to the point of beginning. Containing 58.804 acres, more or less, of which 46.443 acres lie in the Northeast Quarter of Section 13, and 12.361 acres lie in the Southeast Quarter of Section 12.

The above bearings are based upon the eastern line of the Southeast Quarter of said Section 12 as bearing North 00° 29' 57" West.

### **TRACT II**

Part of the southwest quarter of Section Twelve (12) and part of the southeast quarter of Section eleven (11) in Township Twenty-two (22) North, Range Four (4) West, Wea Township, Tippecanoe County, Indiana, being depicted on a plat of survey by Vester and Associates, Inc., Job No. E-98124, more completely described as follows, to wit:

Commencing at the northwest corner of the southwest quarter of said Section 12-22-4, said point being marked by a Berntsen A1NB monument; thence along the west line of said quarter, South 00° 30' 12" East a distance of 73.22 feet to the south line of the County of Tippecanoe property as described in Deed record 94-07925 in the office of the Tippecanoe County Recorder and the point of beginning of the herein described tract; thence along said south line, South 88° 43' 49" East a distance of 48.74 feet; thence along said south line, North 81° 23' 39" East a distance of 195.36 feet; thence South 00° 29' 57" East a distance of 278.21 feet; thence South 89° 59' 03" East a distance of 1080.78 feet to the east line of the west half of said quarter section; thence along said east line, South 00° 35' 31" East a distance of 2340.75 feet to 1/4" rebar with an aluminum cap stamped "Vester & Assoc.", hereinafter referred to as a Vester capped rebar at the southeast corner of the west half of said quarter section; thence along the south line of said west half, South 89° 44' 32" West a distance of 1326.48 feet to a Berntsen A1NB monument at the southwest corner of said west half; thence crossing into the southeast quarter of Section 11-22-4 and along the south line of said quarter, South 89° 54' 11" West a distance of 438.86 feet to a Vester capped rebar at the southwest corner of the east one-third (1/3) of the southeast quarter of the southeast quarter of said section; thence along the west line of said east one-third (1/3), North 00° 35' 54" West a distance of 1333.96 feet to a Vester capped rebar on the south line of the northeast quarter of the southeast quarter of said section; thence along said south line, South 89° 44' 55" West a distance of 882.13 feet to a stone at the southwest corner of said quarter quarter section; thence along the west line of said quarter quarter, North 00° 51' 34" West a distance of 1272.96 feet to a Vester capped rebar on the south line of the County of Tippecanoe property as described in Deed record 93-14569 in the office of the Tippecanoe County Recorder; thence along the south line of said property the following four (4) courses: (1) North 89° 55' 07" East a distance of 221.42 feet; (2) South 89° 58' 56" East a distance of 154.55 feet; (3) North 87° 09' 19" East a distance of 200.25 feet to a Vester capped rebar; (4) South 89° 58' 56" East a distance of 326.95 feet to a Vester capped rebar on the south line of the County of Tippecanoe property as described in Deed record 94-07925 in the Office of the Tippecanoe County Recorder; thence along said south line, South 84° 17' 02" East a distance of 74.26 feet;

thence along said line, South 88° 43' 49" East a distance of 354.46 feet to the point of beginning, containing 52.2738 acres in Section 11 and 72.7265 acres in Section 12, containing 125.0003 acres in all.

### **TRACT III**

The east half of the Southwest quarter of Section Twelve (12) in Township Twenty-two (22) North, Range Four (4) West, Second Principal Meridian, Wea Township, Tippecanoe County, Indiana, as depicted on a survey by Vester & Assoc., Inc., Job No. E-97018, containing 80.8972 acres.

### **ALSO,**

A part of the East half of the Northwest quarter of Section thirteen (13), Township twenty-two (22) North, Range four (4) West, Second Principal Meridian, Wea Township, Tippecanoe County, Indiana, as depicted on a survey by Vester & Assoc., Inc., Job No. E-97018, more particularly described as follows, to wit:

Beginning at the Northwest corner of the East half of said Northwest quarter of Section 13-22-4, marked by a ¼" rebar with an aluminum cap stamped "Vester & Assoc.", hereinafter referred to as a Vester capped rebar; thence South 00° 40' 08" East a distance of 132.00 feet along the West line of the East half of said quarter section to a Vester capped rebar; thence North 89° 44' 31" East a distance of 693.00 feet parallel with the North line of the East half of said quarter section to a Vester capped rebar; thence North 00° 40' 08" West a distance of 132.00 feet parallel with the West line of the East half of said quarter section to a Vester capped rebar on the North line of the East half of said quarter section; thence South 89° 44' 31" West along said North line to the point of beginning, containing 2.1000 acres.

### **EXCEPT,**

A part of the Southwest Quarter of Section Twelve (12), Township Twenty-two (22) North, Range Four (4) West, Second Principal Meridian, Wea Township, Tippecanoe County, Indiana, being Parcel 3 as depicted on Indiana Dept. of Transportation Plans for Project No. RS-7879(2), as recorded in record 92-24812 in the Office of the Tippecanoe County Recorder on November 13, 1992, also being depicted on a survey by Vester & Assoc., Inc., Job No. E-97018, more particularly described as follows, to wit:

Commencing at the Northeast corner of the Southwest quarter of Section 12-22-4, marked by a ¼ inch rebar; thence North 89° 58' 58" West a distance of 824.58 feet along the North line of said quarter section to the point of beginning of the herein described tract; thence South 00° 01' 02" West a distance of 21.20 feet to a ¼" rebar with an aluminum cap stamped "Vester & Assoc.", hereinafter referred to as a Vester capped rebar; thence South 50° 23' 37" West a distance of 244.88 feet to a Vester capped rebar on the northeasterly right-of-way line of US Highway 52 as depicted on Indiana Department of Transportation Plans for Project No. 74, Section D(5) sheet 13 of 204, on file in the Tippecanoe County Surveyor's Office; thence northwesterly along a non-tangent curve (said curve being concave southwesterly, having a radius of 17284.73 feet, a chord length of 120.677 feet, and a chord bearing of North 41° 57' 01" West) an arc distance of 120.67 feet along said US Highway 52 right-of-way line; thence North 47° 53' 26" East a distance of 65.00 feet along said right-of-way line; thence North 71° 19' 56" East a distance of 70.82 feet along said right-of-way line; thence North 00° 01' 02" East a distance of 21.36 feet to the North line of said quarter section; thence South 89° 58' 58" East a distance of 154.02 feet along said North line to the point of beginning, containing 0.5520 acres.

### **CONTAINING**

2.1000 acres in Section 13-22-4, 80.3452 acres in Section 12-22-4, and containing 82.4452 acres in all.

### **ALSO EXCEPT**

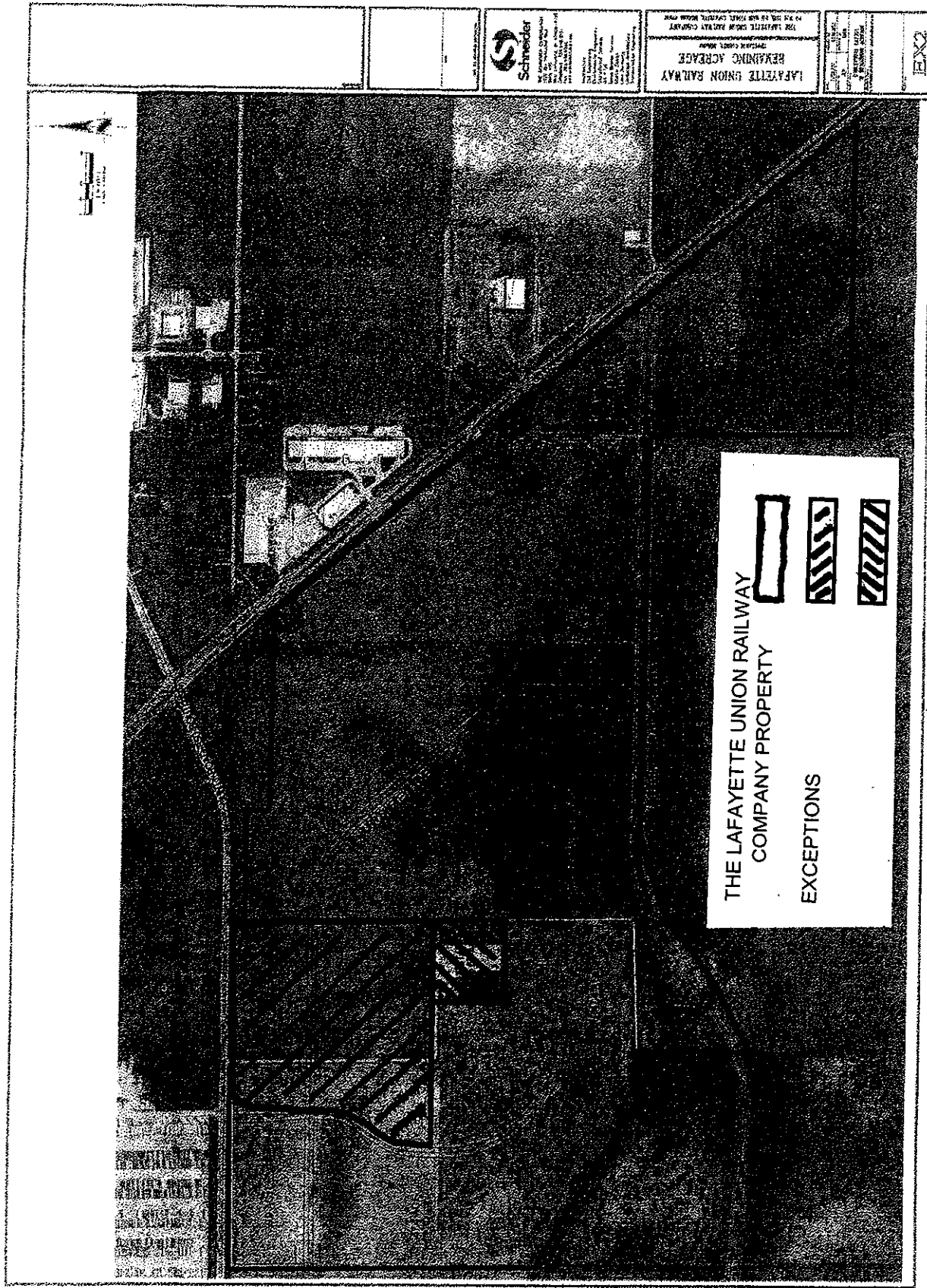
A part of the southwest quarter of Section 12, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, more particularly described as follows:

Beginning at the northeastern corner of the said southwest quarter; thence South 00°-40'-47" East along the eastern line of the said southwest quarter for 1,486.00 feet to the centerline of U.S. Highway 52; thence North 40°-29'-21" West along the said centerline of U.S. Highway 52 for 1,284.38 feet; thence continuing northwestwardly along the said centerline of U.S. Highway 52 on a curve to the left, said curve having a central angle of 01°-16'-11"; and a radius of 17,214.73 feet, for an arc length of 381.48 feet; thence North 50°-23'-37" East, non-tangent to the preceding curve for 314.93 feet; thence North 00°-01'-02" East for 21.20 feet to the northern line of the said southwest quarter; thence South 89°58'-58" East along the said northern line of the southwest quarter and the approximate centerline of Old County Road 350 south for 824.58 feet to the point of beginning, containing 20.221 acres, more or less.

### **ALSO EXCEPT**

Part of the east half of the Northwest Quarter of Section 13, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, described as follows:

Beginning at a rebar with a cap stamped "Vester & Assoc." at the northwest corner of said half quarter section; thence North 89 degrees 44 minutes 23 seconds East (bearings based on NAD 83(86) coordinates published by the Tippecanoe County Surveyor's Office) along the north line thereof a distance of 693.00 feet to a 5/8 inch rebar with a yellow plastic cap stamped "SCHNEIDER FIRM #0001" marking a northwest corner of a portion of the land described in a deed to Mary Daugherty recorded as Record #09823202 in the Office of the Tippecanoe County Recorder; thence South 00 degrees 40 minutes 14 seconds East along a west line of said land a distance of 132.00 feet to a 5/8 inch rebar with a yellow plastic cap stamped "SCHNEIDER FIRM #0001"; thence South 89 degrees 44 minutes 23 seconds West along a north line of said land a distance of 693.00 feet to a rebar with a cap stamped "Vester & Assoc." on the west line of said east half quarter section; thence North 00 degrees 40 minutes 14 seconds West along said west line a distance of 132.00 feet to the Point of Beginning, containing 2.10 acres, more or less.



THE LAFAYETTE UNION RAILWAY  
COMPANY PROPERTY

EXCEPTIONS



**Schneider**  
Schneider Electric  
10000 W. 10th Ave.  
Denver, CO 80202  
Tel: 303.733.1000  
Fax: 303.733.1001  
www.schneider-electric.com

**LAFAYETTE UNION RAILWAY**  
REMAINING ACRES  
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